

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 97-CR-0098

KEVIN P. O'NEILL,

Defendant.

**MOTION FOR EXTENSION OF TIME TO RESPOND TO
DEFENDANT'S COMPASSIONATE RELEASE MOTION**

Now comes the United States of America, by and through the undersigned attorneys, and respectfully requests until September 16, 2022, to submit its response to Kevin P. O'Neill's motion for sentence reduction. (Dkt. 2285). The response is currently due August 10, 2022

Kevin O'Neill, also known as "Spike," is serving a life sentence stemming from his involvement in the violent and sometimes murderous activities of the Outlaws motorcycle gang. On May 9, 2022, O'Neill filed a motion for a sentence reduction, invoking 18 U.S.C. § 3582(c)(1)(A). The Court ordered the Federal Defender's Office to advise if it would be filing a supplement to the motion. Dkt.2286. When there was no response from the Federal Defender, the Court directed the government to file a response on or before August 10, 2022. The government respectfully requests an extension of this deadline.

As grounds for an extension, the government notes that O'Neill's motion is not a "garden variety" compassionate release motion. It is lengthy (68 pages, exclusive of exhibits) and raises a wide range of issues, including prison conditions, his age and health, and the question—unresolved in our circuit—whether a life sentence mandated by the sentencing guidelines prior to *Booker* is an "extraordinary and compelling reason" for compassionate release. The undersigned did not represent the government in O'Neill's criminal prosecution, which went to trial 22 years ago, and therefore lacks familiarity with the underlying case. Lastly, the undersigned, in addition to his usual duties and responsibilities, has an appeal brief due in the Seventh Circuit on August 15, 2022.

For all of these reasons, the government respectfully requests an extension of time until September 16, 2022 to respond to O'Neill's motion.

Dated this 1st day of August, 2022.

Respectfully submitted,

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United States Attorney

/s/ Jonathan H. Koenig

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